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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,148	08/27/2003	Yang-Po Chiu	B-5215 621180-3	7102
36716	7590	01/03/2006	EXAMINER	
LADAS & PARRY 5670 WILSHIRE BOULEVARD, SUITE 2100 LOS ANGELES, CA 90036-5679			CHANG, YEAN HSI	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

5

Office Action Summary	Application No. 10/650,148	Applicant(s) CHIU ET AL.	
	Examiner Yean-Hsi Chang	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-20 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 9-13, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 5, 8, 14, 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 9-11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Austin et al. (US 6,590,303 B1) in view of Fisher et al. (US 2004/0212966 A1) and Chan (US 5,214,550).

Austin teaches a portable storage device (100, fig. 1), comprising: a main body (102, fig. 1) having a connector (104), a single control (101), and at least one first power connection portion (portion of 104), wherein the connector and the first power connection portion are disposed on the main body (see fig. 1), the connector is electrically connected to a data transfer port (connector of 105) of an electronic device (105), the single control provides selection of functions of the main body (see col. 2, lines 13-23), and a battery dock (105) connected to the main body and having at least one second power connection portion (a portion of connector of 105) equally corresponding to the first power connection portion, wherein the second power connection portion is connected to the first power connection portion when the battery dock is connected to the main body (obvious feature) (claims 1, 10-11 and 15); and

wherein the main body is a portable flash memory device and MP3 player (see col. 1, lines 57-59 and col. 2, lines 10-11) (claim 2).

Austin fails to indicate the connector being a USB connector and to teach a write-protection button and a protective cover for the connector.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Austin with a USB connector since a USB connector is well known and is available off-the-shelf.

Fisher teaches a protective element (or cover) (135, fig. 2) for a USB connector (110) slidably (fig. 2), or detachably (fig. 1) connected to a body (120) of a device (105).

Chan teaches a portable storage device (10, fig. 7) comprising a write-protection button (77) for determining whether or not new data will be allowed to be written onto the device.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Austin with the protective cover taught by Fisher for providing better protection and connectivity, and with the write-protection button taught by Chan for determining whether or not new data will be allowed to be written onto the device.

3. Claims 6, 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Austin et al. in view of Fisher et al. and Chan, further in view of Segal et al. (US 6,167,251) and Lian et al. (US 2003/0176935 A1).

Austin et al. in view of Fisher et al. and Chan discloses the claimed invention except an accessory-attachment loop and an earphone jack.

Segal teaches an accessory-attachment loop (110, fig. 11) and Lian teaches an earphone jack (14, fig. 2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Austin et al. in view of Fisher et al. and Chan with the accessory-attachment loop taught by Segal for a user to attach the device to a strap or keychain, and with the earphone jack taught by Lian for a user to listen the audio output.

4. Claims 7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Austin et al. in view of Fisher et al. and Chan, further in view of Lian et al.

Austin et al. in view of Fisher et al. and Chan discloses the claimed invention except showing the battery dock comprising a battery cover and a release button to release the same.

Lian teaches a battery dock (12, fig. 2) comprising a battery cover (16) and a release button (obvious feature not shown).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Austin et al. in view of Fisher et al. and Chan with the battery dock taught by Lian for convenience of changing batteries.

Allowable Subject Matter

5. The indicated allowability of claims 6, 12 and 16 are withdrawn in view of the newly discovered reference(s) to Chan (US 5,214,550) and Segal et al. (US 6,167,251). Rejections based on the newly cited reference(s) are given hereinabove.

6. Claims 18-20 are allowed.

7. Claims 5, 8, 14 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Austin et al. (US 6,590,303 B1), Fisher et al. (US 2004/0212966 A1), Yin (US 6,820,138 B2), Chan (US 5,214,550), Segal et al. (US 6,167,251), and Lian et al. (US 2003/0176935 A1), taken alone or in combination, fails to teach or fairly suggest: a portable storage device comprising, in addition to other limitations: a main body having a connector disposed on the main body, and a bellows-type protective cover flexibly connected to the main body to protect the connector as claimed in claims 5 and 18; and wherein the surface of the protective element comprises at least one anti-slip strip as set forth in claims 8, 14 and 17. Claims 19-20 are dependent claims from claim 18.

Response to Arguments

Art Unit: 2835

9. Applicant's arguments with respect to claims 1, 11 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-


Art Unit: 2835

2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
January 2, 2006



YEAN-HSI CHANG
PRIMARY EXAMINER